

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Chasidy L. Thompson,	:	Case No. 5:92CV0796
	:	
Plaintiff	:	Judge Ann Aldrich
	:	
v.	:	Magistrate Judge David S. Perelman
	:	
City of Norton, et al.,	:	MEMORANDUM OPINION AND ORDER
	:	
Defendants	:	

On January 31, 1994 the plaintiff recovered a judgment against defendant James Wright in the sum of \$5,000.00 compensatory damages and \$50,000.00 punitive damages, that judgment being affirmed by the Sixth Circuit Court of Appeals on August 9, 1995.

On November 18, 2005 the plaintiff filed a “Motion To Revive Judgment” (Doc. #89), and on June 12, 2006 filed a “Motion For Hearing And Oral Argument On Payment Of Judgment Against Defendant James Wright” (Doc. #90). In the latter of those motions it was stated “Defendant, James Wright, filed for bankruptcy, however, under the law, Bankruptcy does not relieve third party obligations. 11 U.S.C.A. §§524(e). It is believed that he [sic] Union OPBA has an insurance policy that covers these types of losses. Additionally, it is believed that the contract between the City and the Union provided that the City pay for debts like this as well.” In the motion plaintiff requested permission to pursue discovery on these claims.

Neither motion was responded to.

By reason of a glitch in the CM/ECF system, by virtue of the action being deemed closed

on the docket, these motions did not come to this Court's attention when filed. They have now come to light.

This Court will therefore, grant the defendant until January 15, 2010 to file responses.

If the motions are not opposed this Court will grant the motion to revive judgment, and will grant the plaintiff ninety days within which to pursue discovery on the motion regarding payment of the judgment, following which plaintiff shall advise this Court if a hearing on the motion is requested or whether the motion is to be abandoned.

IT IS SO ORDERED.

s/DAVID S. PERELMAN
United States Magistrate Judge

DATE: January 4, 2010